

REMARKS

This Amendment and Request for Reconsideration ("Amendment") is in response to the May 3, 2005 Office Action ("Office Action"). Claims 1-48 are pending, Claims 1-30, 43, 45, 46, and 48 were previously withdrawn from consideration.

SUPPORT

Amendments to the Claims

Claims 1-48 remain in this application. Claims 31, 44, and 47 are amended. Support for the amendment to the claims is found throughout the specification and drawings, for example: at page 7, lines 25-27; at page 8, lines 14-16; at page 10, lines 30-32; and at page 16, lines 10-13 and lines 18-21; at page 11, lines 22-25; and at page 12, lines 1-2.

CLAIM REJECTIONS

In the Office Action, claims 31-42, 44, and 47 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 31-36 and 42 are rejected under 35 U.S.C. § 102 (b) as allegedly being anticipated by Wheless (2,123,580). Claim 47 is rejected under 35 U.S.C. § 102 (b) as allegedly being anticipated by Bush Jr. et al. (3,908,495). Claim 37 is rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Wheless in view of Bush Jr. et al. Claims 38-41, and 44 are rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Wheless. Applicants respectfully assert that all of the claims comply with 35 U.S.C. § 112 second paragraph, 35 U.S.C. § 102 (b), 35 U.S.C. § 103(a) and all of the claims are allowable.

The Claims are Definite

Claims 31-42, 44, and 47 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The rejection of claims 31-42, 44, and 47 under 35 U.S.C. § 112, second paragraph has been obviated by appropriate amendment. As amended, claim 31 recites:

“...a pocket, configured to maintain the log in the pocket during the cutting procedure...”;

claim 44 recites:

“...the pocket is configured to maintain the log in the pocket during the cutting procedure...”;

and claim 47 recites:

“...the pockets being configured to maintain the rolls in the pockets during the cutting procedure...”

The pocket maintaining the log or roll during the cutting procedure is described throughout the specification, for example at page 7, lines 25-27; at page 8, lines 14-16; at page 10, lines 30-32; and at page 16, lines 10-13 and lines 18-21. Applicants respectfully request that the rejection of claims 31-42, 44, and 47 under 35 U.S.C. § 112, second paragraph be withdrawn.

The Claims are Not Anticipated

The rejection of claims 31-36 and 42 under 35 U.S.C. § 102(b) over Wheless has been obviated by appropriate amendment.

Amended independent claim 31 recites:

“...a pocket, configured to maintain the log in the pocket during the cutting procedure without the use of an external structure to hold the log in the pocket...”

As such, independent claim 31 recites that no external structure is required to hold the log in the pocket during cutting procedure. In contrast, Wheless recites the necessity of external structure such as weight arms or latches to hold the log in the pocket or cradle during cutting. For example, Wheless recites at column 2, lines 21-23:

To hold each log firmly in the cradles while being sawed, arms or latches 20 are provided on **one or more** of the cradles.

[emphasis added]

At column 3, lines 59-67 Wheless recites:

The weighted arms 20 pivotally mounted to the cradles at point 23 which were clear of the recesses while the latter were inverted now swing to a position spanning the recesses into engagement with the log to press upon it, forcing it more firmly to a seat within the recesses 15 and holding it in a more stable position relative to the cradle when it comes in contact with the saw 50.

At column 4, lines 54-62 Wheless recites:

For this reason the weight arms 20 are only provided upon those cradles adjacent to the saw so that in the event of curvature of the log which would prevent its being in proper seating contact in the recesses 15 upon all cradles throughout its entire length it will at least be held in seating contact upon those adjacent to the saw and will be held steady while the saw is cutting through.

The arms 20 are shown in the Wheless drawings, for example in Fig. 1 in the two cradles 10 to the left of the saw 50 as well as in Figs. 2 and 3. The fact that Fig. 4 does not show arms 20 is not indicative that the invention can be used without arms, but rather that the cradles to the right of the blade in Fig. 1 do not have arms.

Wheless teaches at column 2, lines 21-23 that one or more arms are provided to hold the log in the cradle during sawing. Thus, the log is held by at least one arm during the cutting procedure, the arm being external structure beyond what is provided by the Wheless cradle. As such, Wheless does not teach a pocket configured to maintain the log in the pocket during the cutting procedure without the use of an external structure as recited in independent claim 31 of this application.

With respect to the channels, applicants respectfully assert that Wheless does not teach or suggest channels in a pocket. Independent claim 31 recites "...a

plurality of channels, the channels situated in the pocket....” The Office Action contends that Fig. 1 of Wheless shows channels. As best understood by the applicants, the channels referred to by the Examiner are spaces between the cradles 10. However, these channels are not situated in a pocket. In fact, the cradles and recesses described by Wheless are substantially two-dimensional, making it difficult, if not impossible to contain channels as disclosed by this application. In contrast, the pockets of this application are three-dimensional and contain a plurality of channels as illustrated, for example, in Fig. 14 and Fig. 3 of this application.

As the Bush, Jr. et al. reference does not disclose, teach or suggest a pocket configured to maintain the log in the pocket during the cutting procedure without the use of an external structure to hold the log in the pocket, and channels situated in the pocket, Bush, Jr. does not teach each and every element of claims 31-36 and 42. Thus, claims 31-36 and 42 are not anticipated by the Bush, Jr. et al. reference, and applicants respectfully request that this rejection be withdrawn.

Claim 47 is rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Bush, Jr. et al. (3,908,495). The Office Action asserts that the Bush, Jr. et al. reference discloses an apparatus including a plurality of pockets and a plurality of circular saw blades. The rejection of claim 47 has been obviated by amendment. Claim 47 has been amended to recite “...wherein the pockets have channels.”

The channels contained by the pocket are described in the specification, for example at page 11, lines 22-25:

The pocket has a multiplicity of channels 32 (Figures 3-4), which are configured so as to allow the blades to pass through them. The spacing of these channels along the length of the sprocket helps define the width of the roll that is produced.

As the Bush, Jr. et al. reference does not disclose a pocket with channels, as discussed previously herein, claim 47 is not anticipated by the Bush, Jr. et al. reference, and applicants request that this rejection be withdrawn.

The Claims are Not Obvious

Claim 37 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Wheless in view of Bush, Jr. et al. (3,908,495). Claims 38-41, and 44 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Wheless.

The rejection of claims 37-41 and 44 has been obviated by appropriate amendment to recite a pocket configured to maintain the log in the pocket during the cutting procedure without the use of external structure. For the reasons presented previously herein, Wheless does not teach a pocket configured to maintain the log in the pocket without external structure during the cutting process as recited in claims 37-41, and 44. Furthermore, as presented previously herein, Wheless does not teach a plurality of channels situated in the pocket as recited in claims 37-41.

The combination of the Wheless reference with the plurality of saw blades of the Bush, Jr. et al. reference would, likewise, not teach the pocket configured to maintain the log in the pocket without external structure during the cutting process, and a plurality of channels situated in the pocket of Claim 37. Thus, the combination of Wheless et al. and Bush, Jr. et al. does not teach or suggest each and every element of Claim 37. Accordingly, applicants respectfully request that the Examiner withdraw the rejection of 37 over Wheless in view of Bush, Jr. and the rejection of 38-41 and 44 in view of Wheless.

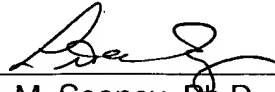
CONCLUSION

Applicants believe that currently pending Claims 31-42, 44 and 47 are patentable. Applicants respectfully request that the Examiner grant early allowance of this application. The Examiner is invited to contact the undersigned agent for the applicants via telephone if such communication would expedite this application.

Amendment. dated June 24, 2005
Reply to Office Action of May 3, 2005

Appl. No. 09/748,616

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lisa M. Seaney', is written over a horizontal line.

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